

## ON THE GRILL

For Hours was an Alleged Insanity Expert.

## IN THE THAW TRIAL

District Attorney Jerome Astonishes His Hearers by His Knowledge of Medical Phrasology.

New York, Feb. 6.—The task of proving to a jury that Harry K. Thaw was insane—through heredity and mental stress—when he shot and killed Stanford White, was taken up Tuesday by the defense in this famous case, but when adjournment was announced in the afternoon it was the general opinion in the courtroom that but little progress had been made.

Thaw's attorneys endeavored to win to place before the jury evidence tending to prove a strain of insanity in the collateral branches of the defendant's family, but they were blocked at every point by District Attorney Jerome, whose objections were upheld by the rulings of Justice Fitzgerald.

The defense did, however, get before the 12 men in the box the testimony of an expert, that in his opinion Harry Thaw was "suffering from insanity" the night of the tragedy. Mr. Jerome undertook to break down the evidence of the alienist—Dr. C. C. Wiley, of Pittsburgh—and for three hours put him through a cross-examination as severe as was ever heard in a New York court. The prosecutor was relentless in his attack and before he had finished Dr. Wiley protestingly declared: "I didn't come here as an expert. I came as a witness to a fact and I have been converted into an expert without being prepared for it."

The district attorney astonished every one by his intimate knowledge of medicine and its technical phrasology, demonstrating the care with which he had prepared himself to meet the defense which Thaw's counsel have entered in his behalf. Mr. Jerome scathingly inquired into Dr. Wiley's record as a physician and as an expert on insanity. He hurled volleys of technical questions at the witness, who at times sat mute and at other times declared he could not answer, or gave evasive replies. Often he brought upon himself sharp warning from the district attorney to make a reply and not an argument.

Dr. Wiley testified that he predicted his opinion as to Thaw's sanity upon his actions the night of the tragedy, as described to him in a hypothetical question propounded by the defense and upon an incident which he witnessed in a Pittsburgh street car during the summer of 1925. Thaw, said the doctor, acted frantically on the car, coming in suddenly and jerking up one of the window blinds, slamming it down and then lifting it again, the while engaging in a wordy war with the conductor.

"Have you ever examined this defendant with any of the recognized tests of insanity?" asked Mr. Jerome. "No," replied the witness.

"Have you ever conversed with him?" "No."

The district attorney then drew from the alienist the opinion that Thaw's acts on the Madison Square roof garden, when he killed Stanford White, were not acts of insanity when taken singly, but constituted evidence of insanity when considered collectively.

At times Dr. Wiley seemed entirely baffled by the questions. He hesitated at each and before he could answer Mr. Jerome had framed another query replete with impressive sounding technical terms and apparently offering a problem no less difficult than its predecessor. The witness admitted that many of the tests to which the district attorney referred, such as the Roubens test and the Argyl-Robertson pupil test were unknown to him, and when he was asked to quote from any accepted work on insanity, declared he could not give the exact language from any book.

Mr. Jerome's well of knowledge seemed never to run dry. He carried his cross-examination through practically the entire morning session and for an hour and 20 minutes after luncheon continued to ply the witness with all manner of questions. It was necessary for the billiffs several times to rap down the outbursts of laughter.

Dr. C. N. Bingham, of Pittsburgh, who had been the family physician of the Thaws for 20 years, testified that he had known Harry Thaw ever since his infancy and had treated Thaw for St. Vitus dance when Thaw was 6 years old.

Scarcely had the court adjourned when there was a conference of the defendant's counsel and it became known that certain of the attorneys were not well pleased with the day's developments. Delphin M. Dolans upon leaving the courtroom declared that he was dissatisfied with the day's proceedings and intimated that he was surprised that the conduct of the defense, for the day, had been entrusted to John B. Gleason rather than to himself.

Dr. Wiley should not have been put on the stand Tuesday, Mr. Dolans said, and perhaps should not have been put on the stand at all.

Trainmen's Wages to Be Raised.

Washington, Feb. 6.—Conductors, trainmen and yardmen of the South



TWO NOTED LAWYERS AS THEY APPEAR IN THE THAW TRIAL.  
District Attorney Jerome. Clifford W. Hartridge, Counsel for Thaw.

### MCDONALD, SUBWAY BUILDER.

He Is Elected President of the Company that Proposes to Construct the Panama Canal.

New York, Feb. 6.—John B. McDonald, of this city, the contractor who constructed the subway, was on Tuesday elected president of the Panama Construction Co. This company was formally organized under the laws of the state of New York for the purpose of building the Panama canal in the event that the contract is awarded by the government to William J. Oliver, one of the contractors, and his associates.

Upon adjournment of the company's officers Mr. McDonald said: "Every thing is now ready for the actual work of digging."

William J. Oliver, of Knoxville, Tenn., and his associate, Anson M. Bangs, were the lowest bidders for construction of the Panama canal but after the government rejected Mr. Oliver's partner, Mr. Oliver was given ten days in which to associate himself with at least two reliable contractors to take up the work under the terms of his contract price. The time given him to make these arrangements and to supply evidence of his ability to furnish \$5,000,000 capital and a bond of \$2,000,000 would expire today.

Mr. Oliver has associated himself with nine well known contractors, and according to Mr. McDonald all the financial requirements of the government have been met.

### Death List Totals 38.

Elkins, W. Va., Feb. 6.—The total number of men in the Thomas mine at the time of the explosion Monday was 37, all foreigners. Mine Boss Daniel Jones, an experienced miner 60 years of age, was suffocated to death. He was one of the first of the rescuers to enter the mine and was brought out nearly dead by his comrades. After recovering he went in a second time and was brought out dead, making the total death list 38. So far 16 bodies have been taken from the mine. It is extremely dangerous to enter the mine for any distance because of foul gases.

### The Simpson Murder Trial.

Riverhead, L. I., Feb. 6.—Dr. James W. Simpson, the dentist who is on trial charged with the murder of his father-in-law, Bartley F. Horner, was the first witness in his own defense Tuesday, the court having refused to dismiss the indictment. Simpson denied that he intentionally shot Horner. He was cleaning the gun in the kitchen, he said, and was explaining to the Polish chore boy how to "break" it when it was accidentally exploded. He did not know Horner had been shot until he heard him cry out "My God, doctor, what have you done?"

### \$140,000 Fire Loss.

Detroit, Mich., Feb. 6.—Fire that started last night in the rear of Hugh Dillon's dry good store at 150-152 Woodward avenue resulted in the practical destruction of the Dillon store by smoke and water and considerable damage to neighboring business houses. The losses aggregate \$140,000.

### A New Law for Indiana Railroads.

Indianapolis, Feb. 6.—A full train crew bill was passed by the Indiana senate Tuesday. The bill provides for a crew of six men on all freight trains carrying over 50 cars and a crew of five men on all freight trains of a less number of cars. The bill passed the house last week.

### Hughes Goes on Retired List.

Columbus, O., Feb. 6.—Capt. C. H. Hughes, quartermaster of the Eighth regiment, has at his own request been placed on the retired list and First Lieut. R. P. Hastings, of Mansfield, has been recommended by Col. Vollrath to succeed him.

### Hermit Froze to Death.

Toledo, Feb. 6.—John Ariz, aged, in firm and helpless, fell from his bed Monday night and was frozen to death. He lived the life of a hermit in a little hut.

### A Blacksmith Suicided.

Tipppecanoe City, O., Feb. 6.—H. S. Rothermeyer, 48 years old, a blacksmith, committed suicide Tuesday by shooting himself.

### BRIEF NEWS ITEMS.

Mary S. Anthony, sister and lifelong co-worker of Susan B. Anthony, is dead at her home in Rochester, N. Y. Congressman William Alden Smith has been elected by the Michigan legislature to fill out the unexpired term of Senator Alger.

The steamer Parker was blown up near Williams Island, on the Tennessee river. James Thompson, captain, was dangerously injured. A negro fireman is missing.

After a desperate pistol fight with a gang of four alleged thieves the police of Shelbyville, Ind., captured all of them. More than 100 shots were fired and one man was wounded.

### The Call Presages a Coming Conflict.

London, Feb. 6.—Premier Campbell Bannerman, in his summons to his supporters to attend the reopening of parliament, employs the very unusual phrase, "To discuss matters of grave importance." As foreign affairs are now tranquil, these words are regarded as applying to the coming conflict between the house of lords and the house of commons, and judging from the recent platform utterances of members of the government, it is supposed that the ministers will ask the house of commons to pass a resolution limiting the lords' power of veto. Should this be done a struggle would be precipitated at once.

### Is Asked to Begin Ouster Suit.

Columbus, O., Feb. 6.—Attorney General Ellis on Tuesday heard the complaint from Cincinnati that the Western Union Telegraph Co., American Telephone Co., Cincinnati Telephone Co., and the Interstate News bureau are violating the law by transmitting racing news which is made the basis of gambling. The attorney general is asked to bring suit to oust these companies from their charters or oust them from the right to transmit racing information for betting purposes.

### Freight Trains Collided.

Willoughby, O., Feb. 6.—E. A. Beor, of Connecticut, fireman on the Nickel Plate railroad, was probably fatally injured in a freight wreck here Tuesday. Westbound freight No. 73, with Charles Thomas as engineer, and eastbound freight No. 4 came together between the freight house and the passenger station. No. 73 was going about 30 miles an hour. There was a misunderstanding of orders, and one train that should have taken the siding did not do so.

### A Fatal Fall.

Cleveland, Feb. 6.—A fall from the top of the new postoffice Tuesday killed Michael Nothstein, a workman engaged in erecting scaffolding for use by the stonecutters who are ornamenting the capitals and cornices of the building. The man was picked up unconscious and hurried to Lakeside hospital, where he was pronounced dead. His skull had been fractured.

### Is Awarded \$500.

Cleveland, Feb. 6.—As bail for her wounded feelings, when Harlow Humphrey, a member of the family that owns Euclid Beach park, failed to carry out the promise which she says he made to marry her, Mrs. Elizabeth Hawkins, female detective, was given a verdict Tuesday of \$500 by the jury in Judge Schwan's court instead of \$25,000 for which she sued.

### Yacht Club's Home Burned.

Toledo, Feb. 6.—The Toledo Yacht club house, valued, including furnishings at \$75,000, was destroyed by fire Monday night. The steward, Frank R. Frey, his wife and their 5-year-old daughter, Frances, had narrow escapes and suffered severely from the cold.

### To Settle Chicago's Traction Question.

Chicago, Feb. 6.—The city council on Tuesday adopted an ordinance which if approved by the voters at the April election will settle Chicago's traction question. The ordinance provides that the city shall issue 30 year franchises to the Chicago City Railway Co. and the Union Traction Co., with the understandings that on six months' notice at any time the city may purchase the street railways controlled by these companies for \$50,000,000, plus the cost of rehabilitation. The companies are at once to reconstruct and resurface all the lines.

## USE BARLEY

And Fence Posts for Fuel in North Dakota.

## SNOW BLOCKADES,

Blizzards and Zero Weather in the Northwest Tie Up Railways and Cause Much Suffering.

St. Paul, Minn., Feb. 6.—With few exceptions there has been below zero weather in this section for 17 days and for three days thermometers have registered 22 degrees below zero.

In North Dakota 20 degrees below was common and this was coupled with terrific blizzards. For days the main lines of the Minneapolis, St. Paul & Sault Ste. Marie, the Great Northern and Northern Pacific railroads have been blocked and many of the branch lines have been at a stand still for weeks and months.

There have been reports of many persons freezing to death, but these have been denied from North Dakota sources. It is expected, however, by railroad managers that the spring thaw will reveal some gruesome tales of suffering, starvation and death.

On Tuesday all trains from Chicago were from one to five hours late. The "Erie" line sent out the first train to the coast in a week, but the officials made no promises that it would get further west than Portal, N. D. Northern Pacific and Great Northern trains from North Dakota points were from three to eight hours late. These roads are gradually getting their main lines and some branches clear after weeks of "snow blocking" with huge engines doubled up to powerful rotary plows.

McHenry, N. D., sends a telegram that there have been no freight trains there since December 13 and that all fuel, including gasoline, is gone. Farmers are burning barley and fence posts.

A Fessenden, N. D., special says that after a blizzard lasting eight days the Snow line managed to get a train through and in that train was a car of coal and a car of beer. The latter shipment had been on the way for weeks and its arrival was necessities were so sorely needed were looked upon as one of the ironies of the situation.

### Congressional.

Washington, Feb. 6.—The senate spent Tuesday in considering the flat appropriation bill but without concluding the discussion of some amendments. The army appropriation bill was reported to the senate and will be taken up as soon as the Indian bill has been disposed of. The bill carries \$31,500,000. General debate on the river and harbor appropriation bill, terminated in the house when the reading of the bill was begun under the five-minute rule.

### No War Talk in Japan.

Tokyo, Feb. 6.—The view taken here of the American-Japanese situation arising from the San Francisco school incident is illustrated by the following official statement issued Tuesday: "The talk of war is completely ignored here, and implicit confidence is reposed in President Roosevelt and his government. The ebullience of the anti-Japanese press in America are powerless to shake Japan's cordiality toward the United States."

### Made the Dirt Fly.

Washington, Feb. 6.—While consideration is being given to the question of letting the contract for the digging of the Panama canal, the work is going on there at a rapid pace. A cable gram received at the war department Tuesday from Chief Engineer Stevens contained the announcement that at previous records had been collapsed. The dispatch follows: "We took on 565,750 cubic yards from Culebra on Jan. 29, about twice the best monthly record made by the French since inception of work by De Lesseps."

### Three Men Killed in a Collision.

Lexington, Ky., Feb. 6.—In a wreck of freight trains on the Chesapeake & Ohio railway near Coble Station, ten miles from town, Tuesday, Engineer Ed Shouse, C. K. Marshall and R. P. Wilson, trainmen, were instantly killed. Several other trainmen were injured. One of the engines exploded killing the men instantly. The train met in a head-on collision. The dead men all lived here.

### Will Not Strike.

Philadelphia, Feb. 6.—The grievance committee of firemen and trainmen of the Pennsylvania railroad lines east of Pittsburgh decided Tuesday that conditions were not favorable for a strike and further efforts will be made to bring about an amicable settlement with the railroad officials before any attempt is made to force an issue.

### The Bank Must Pay the Claim.

Columbus, O., Feb. 6.—The supreme court decided a case Tuesday that is an echo of the populations of W. H. L. H. former clerk of the senate, who disappeared from Cleveland several years ago and has not returned. He was the agent of the Travelers' Insurance Co. and deposited \$2,115 by belonging to the company in his own name, and just before he went away checked it all out. The insurance company sued the Park national bank for the money and by the decision of the supreme court the bank must pay it.

## A Reasonable Plea For The Stomach

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London, 9th Aug., 1905. I have analyzed most carefully a box of Stuart's Dyspepsia Tablets (which I bought myself at a city chemist's shop for the purpose), manufactured by the F. A. Stuart Co., Temple Chambers, London, E. C., and have to report that I cannot find any trace of vegetable or mineral poisons. Knowing the ingredients of the tablets I am of the opinion that they are admirably adapted for the purpose for which they are intended.

(Signed) John R. Brooke.

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### A Fatal Battle.

Ashtabula, O., Feb. 6.—Robert Butler, a structural iron worker from Cleveland, was shot and killed at the Harbor Tuesday morning in a battle between union and non-union men. Several non-union men were going to work when the murder was committed. When the last of them was in front of Dudley's hardware store men came out of an old house in the rear. One of them was Butler. They stopped a non-union man. The other turned back. There were hot words. Both sides drew revolvers and both sides fired. When several shots were fired Butler fell dead and the other ran away. G. W. Ryle, foreman of the non-union men, has been arrested for the killing of Butler, and admits that he was the one who shot Butler. Ryle says Butler knocked him down and that he shot in self-defense.

### Two Supreme Court Decisions.

Columbus, O., Feb. 6.—In a Miami county case, the supreme court held Tuesday that the county commissioners are not the trial court in a case to power to fix the compensation of attorneys for the defense in first degree murder cases. In a case coming up from Knox county, the supreme court holds that fines collected for the violation of the Beal law must be paid into the county treasury and not the municipal treasury, as that law provides. The general statute provides that it must go into the county treasury and it governs.

### Anti-Saloon League Gets a Jolt.

Upper Sandusky, O., Feb. 6.—The Anti-Saloon league received a setback in common pleas court Tuesday. Three weeks ago Philip Althorn, E. R. Imer and Ernest Hauff, leading merchants of Nevada, were arrested under the search and seizure law for having beer, whisky and cider in their homes. They were fined \$150 and costs each by Mayor Toncasti, but on Tuesday Judge Tobias reversed the finding of the mayor. The defendants claimed the beverage was received as a Christmas gift.

### Admiral Beresford Arrives.

New York, Feb. 6.—Admiral Lord Charles Beresford arrived here Tuesday that the county court have the this country to settle the estate of his brother, Lord Delaval, who was killed recently in a railway accident in North Dakota. He is the sole executor of the estate.

### A Showman Dies.

New York, Feb. 6.—Elmer S. Dundy, of the firm of Thompson & Dundy, died suddenly last night at the home of his mother. Mr. Dundy was born in Omaha, Neb., in 1862. His father was J. Lee Elmer S. Dundy, who was the first United States judge appointed in Nebraska. When the Pan-American exposition opened at Buffalo Elmer Dundy joined partnership with Frederick Thompson in the show business. Success led to many other ventures, among the most notable "Luna Park" at Coney Island and the Hippodrome in this city.

### Four Lives Lost in a Fire.

Pelham, N. Y., Feb. 6.—Fire on Tuesday swept through the lively stables and living apartments above of Richard L. Vaughn and burned to death Mrs. Vaughn and her 2-year-old son. A colored woman living with the Vaughns was burned in her bed. Thomas Mickey, a stableman, escaped from the house only to lose his life in an effort to save the horses.

### De Lamar's Title Is Upheld.

San Francisco, Feb. 6.—Title to mines in the Feather district of Nevada said to be worth millions of dollars was won Tuesday by Joseph De Lamar through a decision rendered by Superior Judge Seawell. The Utah Nevada Mining Co. was plaintiff and sought to dispossess De Lamar from the Monitor and Jim Crow mines. The company alleged that since De Lamar has been in possession \$13,000,000 worth of ore has been taken from these mines.

### HE WAS AFRAID OF GHOSTS.

Negro Wouldn't Dust a Table Upon Which a Man Died.

There is a large table in one corner of a police station in an eastern city which the police themselves have had to dust off lately. Recently a negro that was stabbed was carried into the station and died on the table. It is a part of the negro trusty's duties to dust the table every day. The day after the death the sergeant noticed that the table had not been dusted and he called the trusty.

"Dust that table," he said.

The trusty took off his hat and made a low bow.

"Look heah, sergeant," he said. "Ah always does what you tells me. Now, a nigger done die on dat table, and Ah must take my choice of dustin' it on broken rock. Ah ready fuh de rock pile. Ah deen want take no risks with dem goses."

### Why the Haste?

Mrs. Cleora Parsons, whose brilliant and daring book on marriage has created so much excitement, said at a dinner in New York:

"They who are happily married are shocked at the idea of trial marriages but they who are unhappily linked together and are yet too proud and sensitive to get a divorce must see much in my idea that is of value."

"How many marriages would be dissolved if the dissolution could be accomplished without shame? How many married people feel toward each other like a husband I heard of the other day."

"He said, to his wife at breakfast last night: 'I dreamed about you last night.' 'What did you dream?' she asked. 'I dreamed that I caught a chair running away with you.' 'And what did you say to him?' she inquired, listlessly. 'I asked him what he was running for.'"

### Boys' Four Seasons.

"Spring, summer, autumn and winter; these are the four seasons as the man sees them," said a school teacher a few days ago.

"The boy has another way of dividing the year, however, and, while he does not watch the seasons of his year on a calendar above his desk, he never forgets them. His division is marbles, ball, shinney and skating. Marbles come in place of spring, baseball in summer, shinney in the fall and skating in the winter. You can tell what season it is by watching a group of boys at play just as well as by an almanac."

### His Favorite Subject.

A schoolboy who has for some years been an active worker in the Sunday school of the denomination to which she professes allegiance told recently of one of the boys who he joined to her class, but upon whom she did not seem to make much of an impression. One Sunday when the rest of the class had found the lesson particularly interesting she asked Bobby why he was so indifferent. "Aw, why don't yer talk about the devil?" was Bobby's query. "I know something about the devil."

### A Beautiful Devotion.

"How beautiful," we exclaimed, "has ever been your wife's devotion to her flowers?" "Beautiful?" he grunted. "Yes, it's been all of that; especially on them cold nights when she's dragged the blankets off my bed to keep her mealy little geraniums from getting frost bitten."

### One Cause of Rheumatism.

People get rheumatism because the function of perspiring, which is the means of getting rid of certain poisons from the blood, is suddenly checked by a chill. In the worst cases the chill is preceded by increased exercise, and hence an increased production of poison. Just when it is most necessary to perspire freely the function is arrested.

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